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7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT SEATTLE

10                   WARREN E. BELL,

11                   NO.

12                   vs.  
13                   Plaintiff,

14                   NOTICE OF REMOVAL

15                   DAVID OLSON, AND AUTUM  
16                   KOSTELECKY, SUED IN THEIR  
17                   INDIVIDUAL AND OFFICIAL  
18                   CAPACITIES; AND SNOHOMISH  
19                   COUNTY RISK MANAGEMENT, SUED IN  
20                   THEIR OFFICAL CAPACITIES,

21                   Defendants.

22                   COMES NOW defendant Snohomish County Risk Management and alleges as follows:

23                   1. On April 16, 2021 the Summons and Complaint were filed in Snohomish County  
24                   Superior Court under Snohomish County Cause No. 21-2-01793-31. On May 26, 2021, a  
25                   copy of the Summons and Complaint were received by Snohomish County Risk  
26                   Management. A true and correct copy of the Complaint is attached to this Notice of  
27                   Removal as Exhibit A.

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2. The Complaint alleges Defendants violated Plaintiff of rights protected by the Constitution and federal law. This Court has federal question jurisdiction over such claims pursuant to 28 U.S.C. §1331, and supplemental jurisdiction over related claims under 28 U.S.C. §1337. Accordingly, this action may be removed to this Court pursuant to 28 U.S.C. § 1441.

3. This notice is filed with this court within 30 days after defendant's receipt of the initial pleading setting forth a claim arising under federal law. Defendant Snohomish County Risk Management was not properly served prior to the time of filing this Notice of Removal. With this Notice, all Defendants consent to the removal of this action.

4. The attached Complaint constitutes all pleadings, process and orders in this action. No motions are pending in the Snohomish County Superior Court.

5. Intradistrict Assignment. Defendants Snohomish County Risk Management and Autumn Kostecky reside and/or have their principal place of business in Snohomish County. Moreover, the alleged events or omissions giving rise to Plaintiff's claims occurred in Snohomish County. Accordingly, Intradistrict Assignment is appropriate in the Seattle Division of the Court, pursuant to LCR 3(d). *See also* LCR 101(e).

WHEREFORE, defendants request that the above-entitled action be removed from the Superior Court of the State of Washington in and for the County of Snohomish to this court.

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DATED this 10th day of June, 2021.

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2                   ADAM CORNELL  
3                   Snohomish County Prosecuting Attorney  
4

5                   By: /s/ Kelsey L. O'Neal  
6                   KELSEY L. O'NEAL WSBA #51430  
7                   Deputy Prosecuting Attorney  
8                   Snohomish County Prosecuting Attorney - Civil Division  
9                   3000 Rockefeller Avenue, M/S 504  
10                  Everett, Washington 98201-4060  
11                  Phone: (425) 388-6330 Fax: (425) 388-6333  
12                  Email: [koneal@snoco.org](mailto:koneal@snoco.org)  
13                  *Attorney for Defendant Snohomish County Risk  
14                  Management*

## **DECLARATION OF SERVICE**

I hereby certify that I am an employee of the Civil Division of the Snohomish County  
Prosecuting Attorney, and that I caused to be served a true and correct copy of the foregoing  
document upon the person(s) listed by the method(s) indicated:

Warren E. Bell  
8810 John Dower Rd SW, Apt. 14  
Lakewood, WA 98499  
[Wbell102@gmail.com](mailto:Wbell102@gmail.com)  
*Pro se Plaintiff*

- E-filed via CM/ECF
  - Facsimile:
  - Email
  - U.S. Mail
  - Messenger Service

Jennifer M. Smitrovich  
Emory C. Wogenstahl  
701 Fifth Avenue, Suite 4750  
Seattle, WA 98104  
[jennifers@favros.com](mailto:jennifers@favros.com)  
[emory@favros.com](mailto:emory@favros.com)  
*Attorneys for Autumn Kostelecky*

- E-filed via CM/ECF
  - Facsimile:
  - Email
  - U.S. Mail
  - Messenger Service

I declare under the penalty of perjury of the laws of the State of Washington that  
the foregoing is true and correct to the best of my knowledge.

DATED this 10th day of June, 2021.

s/Teresa Kranz  
Teresa Kranz, Legal Assistant